REMARKS

Status of Claims:

Claims 3-23 are present for examination.

Claim Objection:

Claim 22 has been amended to remove the basis for the objection set forth by the examiner in paragraph 8 of the outstanding office action.

Prior Art Rejections:

Claims 22-23 stand rejected under 35 U.S.C. § 102(e) as anticipated by Blinn. Further, claims 3 and 17-18 stand rejected under 35 U.S.C. § 103 as being unpatentable over Blinn in view of Catapult. Claims 5-6 and 11-12 stand rejected under 35 U.S.C. § 103 as unptatentable over Blinn in view of Jaakkola. Claim 4 stands rejected under 35 U.S.C. § 103 as unpatentable over Blinn in view of Hikida. Claims 7 and 9-10 stand rejected under 35 U.S.C. § 103 as unpatentable over Blinn in vie of Jaakkola and further in view of Parry. Claims 8 and 13-16 stand rejected under 35 U.S.C. § 103 as unpatentable over Blinn in view of Jaakkola in view of Costales. Finally, claims 19-21 stand rejected under 35 U.S.C. § 103 as unpatentable over Blinn.

The examiner's rejections are respectfully traversed. The primary reference of Blinn does not anticipate nor make obvious applicant's invention. In particular, applicant's invention, as recited in independent claim 22, for example, is directed toward a method of editing a plurality of mark-up language, structured documents. The first paragraph in the body of claim 22 recites acquiring at least a first and a second mark-up language, structured documents in a document editing system. The mark-up language documents are recited throughout the remaining portion of the claim. In contrast, Blinn is directed toward a online merchant shopping system which utilizes a browser connected via an internet 104 to a server 102 which may take the form of a merchant system 120. The merchant system 120 includes a dynamic page generator 125, HTML structures 126, a database module 127 and a database 121. The dynamic page generator 125 may take the form of a first embodiment shown in

figure 3A or a second embodiment shown in figure 3B. The examiner particularly points to the embodiment shown in figure 3B and references column 10, lines 40-65 to teach paragraph (c) of applicant's claim 22. The examiner asserts that the syntax tree is used to produce an ordered template-based arrangement of the HTML content. The examiner also points to figures 4 and 6 which allegedly assert a graphic depiction of the elements of the method.

The template parser 144 shown in the second embodiment of the dynamic page generator 125 is utilized to obtain a structure from the HTML structures 126, parse the templates in order to create a syntax tree and deliver the resulting syntax tree to the page browser 140. The page browser 140 in turn creates the HTML page for display on the customer browser 122. Thus, as shown in figure 6, items such as a glove are displayed in association with a price. If a customer desires to obtain information on a second item such as a hat, the hat and value of the hat are also displayed in the same template format. Blinn discloses that a memory 146 may be utilized to store the template for fast retrieval in the event that multiple items are desired to be displayed at the same time.

Most germane to the points of distinction with regard to applicant's claims, are the fact that the database 121 utilized in Blinn is a relational database and may store query data, product information, order information, shopper information, store information, receipts and customer feedback data. (See column 6, line 33-36.) Further, the database access directive typically selects and executes a database query to obtain query results having desired information. (See column 8, lines 64-66.) The template received from the HTML structures 126 and parsed by means of the parser 144 provides a query name to the query module 142. The query module 142 passes this query name to the database module 127. In turn, the database module 127 uses the query name to retrieve the query from the database and then passes the query to the database 121 for execution. The database 121 executes the query and returns the query results to the database module to produce an access object having the query results. The page processor obtains the access object from the query module and processes the access object to extract and format the query data to prepare HTML for display on the browser 122, 123. (See column 10, lines 30.42.)

As may be seen from the above discussion, Blinn does not access and store first and second mark-up language structured documents. Rather, Blinn stores a relational database and the data extracted from the relational database is utilized in the page processor to construct an HTML file which is sent to the customer browser and displayed as a mark-up language structured document. Thus, the end result is indeed a mark-up structured document but the acquiring and extracting steps recited in applicant's claim 22 are not performed in a sense that they do not involve first and second mark-up language structured documents as specifically recited. As such, Blinn may not be utilized as an anticipatory reference under 35 U.S.C. § 102. In order for a reference to anticipate a claim, the reference must disclose each and every claim limitation. This is certainly not the case here and thus the § 102 rejection must be withdrawn.

Similar arguments as set forth above with regard to claim 22 apply with equal force to claim 23. Claim 23 likewise recites throughout the first and second mark-up language structured documents.

The deficiencies of Blinn are not corrected by means of the secondary references applied by the examiner. Simply stated, the primary and secondary references do not make obvious applicant's invention as recited in independent claims 22 and 23. The Patent and Trademark Office has simply not made a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103.

Applicant's dependent claims are deemed to be patentable at least by virtue of their dependency on independent claims 22 or 23.

Conclusions:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

By _____

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